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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. 98,375-C)

In the Application of:

Mehta et al.

Serial No.: 09/701,979

Filed: February 12, 2001

For: METHOD FOR STAINING BIOLOGICAL  
SPECIMENS BY COMBINING UNSTABLE  
REAGENTS ON A MICROSCOPIC SLIDE

Group Art Unit: 1648

Examiner: Z. Lucas

TRANSMITTAL LETTER

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In regard to the above-identified application:

1. We are transmitting herewith the attached:
  - a. Reply to the Examiner's Answer
  - b. Return receipt postcard
2. With respect to additional fees:
  - a. Attached is a check in the amount of \$0-
3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR §1.8: The undersigned hereby certifies that this Transmittal Letter and the paper described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Appeal Brief – Patents, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 22<sup>nd</sup> day of September, 2005.

Respectfully submitted,  
McDonnell Boehnen Hulbert & Berghoff LLP

Date: September 22, 2005

By:

A. Blair Hughes  
Reg. No. 32,901



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**(Case No. 98,375-C)**

**PATENT**

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**Examiner: Lucas, Zachariah**

**REPLY TO THE EXAMINER'S ANSWER**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a Reply to Examiner's August 18, 2004 Answer in the above-identified Appeal.

**RESPONSE**

**I. THE REAL PARTY IN INTEREST**

The real party in interest of this pending application is Ventana Medical Systems, Inc. which is the owner by Assignment of the above-identified U.S. patent application.

**II. RELATED APPEALS AND INTERFERENCES**

There are no Appeals or Interferences related to the above-identified U.S. Patent Application.